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TAGS: [MOPS](#) [PTER](#) [PGOV](#) [EAID](#) [PREF](#) [PK](#)
SUBJECT: MALAKAND DIVISION: DARUL QAZA ANNOUNCED; OPERATIONS
CONTINUE IN BUNER, DIR

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REASON: 1.4 (d)

11. (S/NF) Summary. During May 1-3, the Pakistani army secured a key road in Buner and made preparations to move into Shangla and Swat. The government of the Northwest Frontier Province (NWFP) announced the establishment of the Darul Qaza (appellate court) for the Malakand Division, as required by the recently-signed Nizam-e-Adl Regulation (NAR); Maulana Sufi Mohammed rejected the legitimacy of the new court, claiming that he had not been sufficiently consulted. In Swat, the TTP announced May 3 that it no longer considered itself bound by the Swat peace agreement and began to occupy and fortify key buildings May 3-4. Government operations continued in Dir amid growing reports of looting of banks and other violence that may be tied to criminal gangs as well as militants. New militant attacks took place over the weekend in Mohmand and Bajaur tribal agencies. IDPs continue to leave Buner and are expressing frustration at the inadequacy of government preparations for their arrival. The violence in Dir, Bajaur, and Mohmand underscores the continuing challenge that Pakistani security forces face in trying to clear as well as hold territory. End summary.

BUNER OPERATION CONTINUES AGAINST HEAVY RESISTANCE

12. (SBU) Pakistani security forces announced on May 3 that they had secured the road between Mardan and Daggar (Buner's district headquarters) after facing heavy resistance from taliban elements in the area of Ambela. Operational commander Frontier Corps Brigadier General Fayyaz Mehmood Qamar claimed in a press conference that 80 militants had been killed over the course of the operation, including 27 suicide attackers and a top taliban commander for Buner district; Qamar further claimed that large numbers of Uzbeks militants had strengthened the taliban forces. The 11th Corps LNO noted that the operation linked up Pakistani airborne forces, which had been inserted into Daggar by helicopter on May 1, with the rest of the Pakistani ground forces. Qamar noted that militants remain in Pir Baba, Shempeli and Suleman Bakhsh and that operations are ongoing.

13. (S/NF) According to Special Operations Command-Forward (SOC-FWD), Frontier Corps has begun to secure lower Shangla district (east of Swat) and establish a headquarters in Alipura, the district capital, in preparation for operations in Swat.

DARUL QAZA ANNOUNCED BY ANP; REBUTTED BY TNSM

¶4. (SBU) On the morning of May 2, NWFP Information Minister Mian Iftikhar announced that the NWFP government had established Darul Qaza (appellate courts) in Malakand Division. Iftikhar noted that the NWFP government had named two additional Peshawar High Court judges, Mohiuddin and Ziauddin Khattak, as the Qazis who will preside over the Darul Qaza. Tehreek Nifaz-e-Shariat-e Mohammadi (TNSM) leader Mualana Sufi Mohammed, who had earlier proposed three other names for the positions, responded publicly on May 3 that the TNSM had not agreed to the changes and that he did not consider the established court as valid.

TTP RENOUNCES PEACE ACCORD; SWAT SECURITY DETERIORATES

¶5. (SBU) According to press reports and Consulate Peshawar contacts in Swat, taliban over the weekend looted district government buildings and hotels in Mingora and Saidu Sharif. Militants also attacked police checkpoints in Khwazakhela on May 1 and near Mingora on May 2, abducted and beheaded two police officials on May 2 and abducted four other police officials in villages in Swat on the same day, and destroyed vehicles carrying army supplies in Khwazakhela on May 3. A 100-member jirga from Swat met May 1 in Peshawar with Swat Awami National Party (ANP) leader Afzal Khan Lala and called for government action to suppress the militants in Swat.

¶6. (C) Tehreek e-Taliban Swat spokesman Muslim Khan, speaking to the press May 3, called the Swat peace accord "practically dissolved" as a result of ongoing Pakistani military operations in Buner and Dir. The NWFP government has not officially responded to this announcement to date. According to Consulate Peshawar contacts in Swat, militants occupied and began to fortify key buildings in Mingora during the night of May 3-4. Armed militants have been patrolling the area openly since May ¶3. Taliban also attacked the power station outside of Mingora on May 3, partially destroying it and cutting electricity to Mingora and surrounding areas.

LOWER DIR STILL RESTIVE

¶7. (SBU) According to press reporting, Pakistani military operations continued in Lower Dir on May 2-3, with heavy casualties reported during a day-long battle in the area of Maidan. Armed persons looted banks in Timergara, Chakdara, and other areas of Lower Dir in the wake of operations there. One Consulate contact from Lower Dir commented that the district was in "trouble" and he had evacuated his family from the area. In response, the NWFP government has announced a curfew throughout Lower Dir, but enforcement is questionable.

CLASHES IN BAJAUR AND MOHMAND

¶8. (SBU) According to press reporting, on the evening of May 1, approximately 100 militants attacked a Frontier Corps checkpoint in northwestern Mohmand Agency near the Afghanistan border. Security forces, backed by helicopter gunships, claimed to have killed 16 militants. In Bajaur Agency, a taliban attack on Pashat, the Salarzai tehsil headquarters, led to a day-long clash between a local lashkar and taliban elements. With assistance from security forces, the lashkar killed four militants.

IDPs

¶9. (SBU) Refugees continued to leave Buner, Dir, and Swat but an accurate count remains elusive. According to the Commissioner for Afghan Refugees (CAR), 44 families have been registered at Jalala camp in Mardan; capacity remains for another 350 to be registered at that camp. In Sheikh Shahzad camp in Mardan, 16 families have been registered, but another 350 families could be accommodated. In Yar Hussein Camp in Swabi, 300 families have been registered but capacity remains for another 400 families. A local NGO representative in lower Buner estimated that tens of thousands of refugees from Buner were along the highways and in camps; many, however, refused to stay at the camps and had found lodging with relatives in Swabi and Mardan.

¶10. (SBU) Primary complaints of those refugees refusing lodging in the camps included lack of facilities and communal living

situations in multi-family tents that are "incompatible with Pashtun values." According to the NWFP Social Welfare department, approximately 400-500 families are living outside of camps. According to UNESCO, in Dir approximately 500 displaced families are residing in four "spontaneous" camps, in institutions in and around Timergara. (Note: Further details reported septel.)

TRACY